

### REMARKS

Favorable reconsideration of this application, in view of the present amendments and in light of the following discussion is respectfully requested.

Claims 1, 2, 4-15 and 34 are pending in the present application. Claims 1-2 and 4-15 are amended to merely address issues of form. Claims 16-26 are withdrawn-currently amended. Claims 3 and 27-33 are canceled without prejudice or disclaimer. Claim 34 is added by the present response. No new matter is introduced.

In the outstanding Office Action, Claim 15 was rejected under 35 U.S.C. §101; and Claims 1-15 were rejected under 35 U.S.C. §102(e) as being anticipated by Zeller et al. (U.S. 7,054,461, hereafter "Zeller").

Initially, Applicants wish to thank Examiner Chawan for the courtesy of a personal interview conducted with Applicants' representatives on June 8, 2010. During the interview, the outstanding issues in this case were discussed as summarized herein below and in the Interview Summary, which the Examiner has made of record. Examiner Chawan agreed that the claims as originally recited overcome at least the cited reference. Further, the Examiner indicated that Claims 11-15 were in condition for allowance, pending a final search, and that Claims 1, 9 and 10 would be in condition for allowance, pending a final search, if amended to incorporate the allowable subject matter of Claim 3.

The indication of allowable subject matter, pending a final search, noted in the interview is gratefully acknowledged. In response, and to expedite the issuance of a patent from the instant application, Claims 1, 9 and 10 have been amended to incorporate the subject matter of Claim 3, and Claim 3 is canceled without prejudice or disclaimer. Therefore,

amended Claims 1, 9 and 10, together with any claims depending therefrom, are believed to be in condition for formal allowance.

Further, Claims 16-26 have been amended to incorporate the allowable subject matter and are thus believed to be in condition for allowance. Accordingly, Applicants respectfully request that Claims 16-26 be reintroduced in light of the allowability of these claims.

Addressing now the rejection of Claims 1-15 as being anticipated by Zeller, Claim 1 recites, *inter alia*, an apparatus for preventing unauthorized copying that includes:

acquisition means for acquiring pattern information according to a pattern carried by the printing paper, and

storage means for storing the pattern information acquired by the acquisition means on the printing paper.

Turning to the applied reference, Zeller describes imaging processing methods for differentiating between originals and copies of printed materials.<sup>1</sup> More specifically, Zeller describes creating an original print (106) from an original digital image (100) that includes embedded digital watermarks.<sup>2</sup> A forensic scanner (108) then scans original print (106) to produce a test image (110) that is used to detect fraudulent prints.<sup>3</sup>

Zeller, however, does not describe or suggest acquiring pattern information according to a pattern carried by printing paper and storing the acquired pattern information on the printing paper.

---

<sup>1</sup> Zeller, at column 1, lines 13-15.

<sup>2</sup> Id., at column 5, lines 31-48.

<sup>3</sup> Id., at column 5, lines 57-64.

Accordingly, for the above-noted reasons, as well as the reasons noted in the interview, it is respectfully requested that the rejection of Claims 1-15 under 35 U.S.C. §102(b) be withdrawn.

With respect to the rejection of Claim 15 under 35 U.S.C. §101, Claim 15 has been amended to recite a non-transitory computer-readable medium in conformity with the requirements of 35 U.S.C. §101. Based on the discussion in the interview, Claim 10 is also amended to recite a non-transitory computer-readable medium in conformity with the requirements of 35 U.S.C. §101.

MPEP § 2106 discusses statutory subject matter in relation to data structures of a computer readable medium. Particularly, MPEP § 2106 provides,

a claimed computer-readable medium encoded with a data structure defines structural and functional interrelationships between the data structure and the computer software and hardware components which permit the data structure's functionality to be realized, and is thus statutory.

Thus, based on the clear language of this section, Claims 10 and 15 are statutory as Claims 10 and 15 define a functionality of which is realized based on the interrelationship of the structure to the medium and recited hardware components. Accordingly, it is respectfully requested that the rejection of Claim 15 under 35 U.S.C. §101 be withdrawn.

For the reasons discussed above, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal allowance. Therefore, a Notice of Allowance for Claims 1, 2, 4-26 and 34 is earnestly solicited.

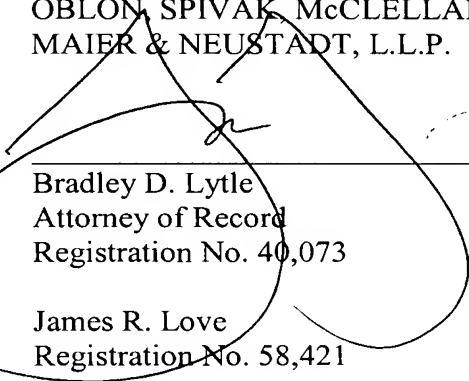
Should, however, the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicants' undersigned representative at the below-listed telephone number.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, L.L.P.

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413-2220  
(OSMMN 08/09)



Bradley D. Lytle  
Attorney of Record  
Registration No. 40,073

James R. Love  
Registration No. 58,421